

Remarks

Applicants appreciate the consideration of the present application afforded by the Examiner. Claims 5, 7, 12, and 14 were pending prior to the Office Action. Claims 22-35 have been added through this Reply. Therefore, claims 5, 7, 12, 14, and 22-35 are pending. Claims 5, 7, 12, and 14 are independent. Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

Claim Rejections - 35 U.S.C. §102

Claims 5, 7, 12, and 14 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 5,974,234 to Levine et al. ("Levine"). Applicants submit the Examiner has failed to establish a *prima facie* case of anticipation and traverse the rejection.

In order to establish a *prima facie* case of anticipation under 35 U.S.C. §102, the cited reference must teach or suggest each and every element in the claims. *See M.P.E.P. §2131; M.P.E.P. §706.02.* Accordingly, if the cited reference fails to teach or suggest one or more claimed elements, the rejection is improper and must be withdrawn.

Regarding claims 5 and 12:

Independent claims 5 and 12 recite, *inter alia*, a printing system comprising an order assigning system, a customer service system and a plurality of laboratory servers, wherein the customer service system receives order information representing the content of an order of a customer for a print. The order assigning system selects one of said plurality of laboratory servers to output a print based on predetermined information, *wherein the predetermined information is information specifying one of the laboratory servers described in the order information by the customer.*

The Examiner contends that Levine discloses this feature, citing col. 7, lines 45-48 of Levine, which states that "a user may generate a job including a plurality of electronic pages and a set of processing instructions." No further explanation is given by the Examiner. Applicant

must therefore assume that the Examiner means for the “set of processing instructions” to read on the predetermined information of the present invention. After detailed review of the Levine reference, it is clear that Levine in no way discloses or suggests that the “set of processing instructions” indicated by the Examiner *specifies one of the laboratory servers described in the order information by the customer*. Therefore, at least because Levine fails to teach or suggest each and every claimed element, independent claims 5 and 12 are distinguishable from Levine.

Regarding claims 7 and 14:

Independent claims 7 and 14 recite, *inter alia*, a printing system comprising an order assigning system, a customer service system and a plurality of laboratory servers, wherein the customer service system receives order information representing the content of an order of a customer for a print. The order assigning system selects one of said plurality of laboratory servers to output a print based on predetermined information, *wherein the order assigning system transfers information related to the selected laboratory to the customer service system that received the order information, the customer service system generates selection information for determining a desired one of the laboratory servers based on the information and transfers the selection information to the order assigning system, and the order assigning system uses the selection information as the predetermined information*.

The Examiner contends that Levine discloses this feature, citing col. 10, lines 5-21, which states that a client user develops a query (including a set of parameters) which requests an output from a remote network system, such as a printing system. However, Applicants submit that the client query disclosed by Levine is not comparable to *selection information generated by the customer service system* of the present invention, at least because Levine does not disclose or suggest that the client query is generated by a customer service system. Furthermore, the client query of Levine is not generated for *determining a desired one of the laboratory servers based on information related to the selected laboratory*. In the present invention, information regarding a selected laboratory server is transferred to the customer service system. Based on this information, a desired one of the laboratory servers is determined, and selection information

regarding this determination is generated. Then, the generated selection information is transferred to the order assigning system.. Levine in no way discloses or suggests these features of claims 7 and 14. . Therefore, at least because Levine fails to teach or suggest each and every claimed element, independent claims 7 and 14 are distinguishable from Levine.

Claims 22-35 depend from claims 7 and 14. Therefore, for at least the reasons stated with respect to claim 5, 7, 12, and 14, claims 22-35 are also distinguishable from Levine.

Accordingly, Applicant respectfully requests that the rejection of claims 5, 7, 12, 14, and 22-35 under 35 U.S.C. § 102(e) be withdrawn.

CONCLUSION

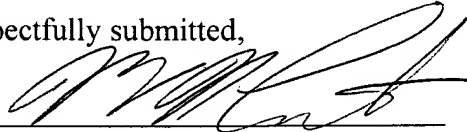
All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Notice of same is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the examiner is respectfully requested to contact Michael R. Cammarata (Reg. No. 39,491) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.14; particularly, extension of time fees.

Dated: March 1, 2007

Respectfully submitted,

By 

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